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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

May 20, 2014

Matthew R. Shadle
Robert Aurora Sky LLC
196 East 10600 South
Sandy, Utah 84070

Subject: Reclamation Requirements; Elite Rock West, Klingon, and Barney Mines; Wasatch Mountain Excavating, Moss Rock Products, and Wasatch Gravel and Rock; S/049/0050, S/049/0060, and S/049/0065; Utah County, Utah

Dear Mr. Shadle:

The Utah Division of Oil, Gas and Mining (Division) regulates mining activity in Utah and has required reclamation of the three referenced mine sites. These mines are in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 11 South, Range 2 West, Salt Lake Meridian. The Division understands Robert Aurora Sky LLC now owns the land where these mines are located.

The mines were first permitted in 2006 and 2007 for extraction of landscape rock, but the mines were active for just a short time before mining ceased.

Utah Administrative Rule R647-3-113.5 allows the Division to require reclamation of a mine site after five years of inactivity, and it is primarily on this basis that the Division has required reclamation. In passing the Utah Mined Land Reclamation Act, the Utah State Legislature found that, "Mined land should be reclaimed so as to prevent conditions detrimental to the general safety and welfare of the citizens of the state and to provide for the subsequent use of the lands affected." The Division has been attempting—so far unsuccessfully—to have one of the mine operators, Wasatch Mountain Excavating, perform the reclamation for all three sites.

The Division holds reclamation sureties (financial guarantees) to ensure the sites are reclaimed, and because Wasatch Mountain Excavating has failed to reclaim the sites, the Division is taking preliminary steps to forfeit these sureties and reclaim the sites itself. Forfeiture of a surety requires approval of the Board of Oil, Gas and Mining.

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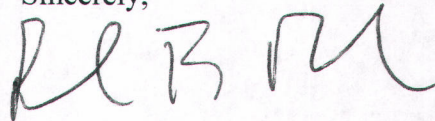
S/049/0050, S/049/0060, and S/049/0065

May 20, 2014

The Division requests your input concerning reclamation and the future use of the land. How do you intend to use the land? Do you have objections to allowing Wasatch Mountain Excavating to enter the property and reclaim under the Division's direction?

Thank you for your assistance and cooperation. Please contact me at 801-538-5261 or by e mail at paulbaker@utah.gov, or April Abate, the lead inspector, at 801-538-5214 or by e mail at aprilabate@utah.gov, if you need clarification about these issues.

Sincerely,

A handwritten signature in dark ink, appearing to read 'PB M', likely representing Paul Baker.

Paul Baker

Minerals Mining Manager

Minerals Regulatory Program

PB: aa: eb

cc: Peggy Kelsey, Utah County (peggyk@utahcounty.gov)
Brett Bryson, Wasatch Mountain Excavating
Vern Tharp, Moss Rock Products

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